Council of the European Union

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PARLNAT 205

NOTE

From:	General Secretariat of the Council
To:	National Parliaments
Subject:	Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2022 evaluation of **Norway** on the application of the Schengen acquis in the field of the **Schengen Information System**

In accordance with Article 15(3) of Council Regulation 1053/2013 of 7 October 2013, establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen, the Council hereby transmits to national Parliaments the Council Implementing Decision setting out a recommendation on addressing the deficiencies identified in the 2022 evaluation of Norway on the application of the Schengen acquis in the field of the Schengen Information System[1].

[1] Available in all official languages of the European Union on the Council public register, doc. 15828/22

Council Implementing Decision setting out a

RECOMMENDATION

on addressing the deficiencies identified in the 2022 evaluation of Norway on the application of the Schengen *acquis* in the field of the Schengen Information System

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) 2022/922 of 9 June 2022 on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen acquis[1], and in particular Article 31(3) thereof,

Having regard to Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen *acquis* and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen[2], and in particular Article 15(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) A Schengen evaluation in the field of the Schengen Information System was carried out in respect of Norway in May 2022. Following the evaluation, a report covering the findings and assessments, listing best practices and deficiencies identified during the evaluation was adopted by Commission Implementing Decision C(2022) 5555.

[1] OJ L 160, 15.6.2022, p. 1–27.
[2] OJ L 295, 6.11.2013, p. 27.

(2) As part of the evaluation, the on-site team identified a number of best practices, in particular the user-friendliness of the case management system in the SIRENE Office and the clearness in the display of the misused identity victim extension in the police and border control applications.

(3) In view of the importance of complying with the Schengen *acquis*, in particular the obligation to ensure the systematic use and full development of the Schengen Information System, priority should be given to implementing recommendations 1, 2, 13, 15 and 16.

(4) This Decision should be transmitted to the European Parliament and to the national Parliaments of the Member States. Within two months of its adoption, Norway should, pursuant to Article 21(1) of Council Regulation (EU) 2022/922, establish an action plan to implement all recommendations to remedy any deficiencies identified in the evaluation report and provide that action plan to the Commission and the Council,

RECOMMENDS:

that Norway should

SIS Automated Fingerprint Identification System (AFIS)

1. ensure that fingerprints are regularly uploaded when creating alerts on persons, in accordance with parallel Articles 20(2)(f) and 23(2) of Regulation (EC) No 1987/2006 and of Council Decision 2007/533/JHA;

2. finalise the implementation of the Fingerprint Fast Print search, in accordance with parallel Articles 22(2) and (3) of Regulation (EC) No 1987/2006 and of Council Decision 2007/533/JHA;

Creation of alerts

3. when entering in SIS object alerts for the identity documents of deceased persons that are not returned, consider the alternative procedure of using as reason for request ‘object for seizure’ instead of ‘invalidated by the issuing authority’;

Police applications

4. ensure that the terminology used in the SIRENE Manual and in the technical documentation for ‘suspicion of clone’ is correctly implemented in the application ELYS II with the corresponding translation into Norwegian language, in order for the end-users to be provided with all information necessary;

5. raise awareness in the end-users about the display mode of links in the application ELYS II, in order to avoid overlooking valuable information;

6. raise awareness in the end-users of the application ELYS II about the possibility of deselecting the ‘exact search', which is the default option, in order to widen the query to a fuzzy search;

7. improve, in the application ELYS II, the display mode of the ‘immediate reporting’ request, in order to ensure more prominence and draw the attention of the end-users on the action to be taken;

8. ensure the connection of the Automatic Number Plate Recognition (ANPR) system to the SIS;

9. ensure that the application AGENT 5.0 shows the photograph attached to the alert when the result of a search is presented;

Mobile applications

10. ensure that the application Personkontroll shows from the first screen the category of identity in order for the misused identity cases to be immediately visible to the end-users;

11. ensure that the ELYS II version for smartphones and tablets is always accessible to the end-users and all the necessary software is installed in the devices in order for the application to be launched when needed;

Border Guards applications

12. ensure that in the GTK application the warning markers are properly highlighted when the hit result is shown, in order for the end-users not to overlook important information;

Directorate of Immigration

13. ensure that in the application DUF, in case of a hit on an alert for refusal of entry and stay, also the misused identity extension is displayed (photo, passport number, fingerprints and personal details), in accordance with Article 36 of Regulation (EC) No 1987/2006, as amended by Regulation (EU) 2018/1861;

14. implement in the DUF application in use at the Immigration Office the possibility of checking also alerts on documents (Article 38);

15. implement in the DUF application in use at the Immigration Office the functionalities related to the insertion and display of the type of offence in SIS alerts on refusal of entry and stay (Article 24), in accordance with Articles 20(2)(ka) and 23(2) of Regulation (EC) No 1987/2006, as amended by Regulation (EU) 2018/1861;

16. implement in the DUF application in use at the Immigration Office the functionalities related to fingerprints in SIS alerts on refusal of entry and stay (Article 24), in accordance with parallel Articles 20(2)(f) and 23(2) of Regulation (EC) No 1987/2006 and of Council Decision 2007/533/JHA;

National vehicle registration authority

17. ensure that the national vehicle registration authority checks in the SIS the registration document and the registration number when a vehicle is presented for registration;

Customs authorities

18. grant the national customs authorities access to the SIS, in accordance with Article 40(1)(b) of Council Decision 2007/533/JHA;

Training

19. provide training to end-users on misused identity, in particular in relation to the concept itself, the related terminology and the follow-up procedure.

Done at Brussels,

For the Council
The President